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FEB 06 2019

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February 6, 2019

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VIA HAND DELIVERY

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
1231 Gervais Street
Columbia, South Carolina 29201

Re: *South Carolina Coastal Conservation League, et al. v. South Carolina
Public Service Commission, et al.*; Appellate Case No. 2018-001165

*South Carolina Solar Business Alliance, LLC, v. South Carolina Coastal
Conservation League, et al.*; Appellate Case No. 2018-002117

Dear Mr. Shearouse:

On behalf of South Carolina Electric & Gas Company, enclosed for filing, please find the original and six (6) copies of a Motion to Amend Caption to Remove the Public Service Commission of South Carolina as a Party. You will also find enclosed our check in the amount of \$50.00 for the filing fee.

Please acknowledge receipt of the enclosed documents by file stamping the extra copy of same and returning it to me via my courier.

If you have any questions or need additional information, please do not hesitate to contact me.

[SIGNATURE PAGE FOLLOWS]

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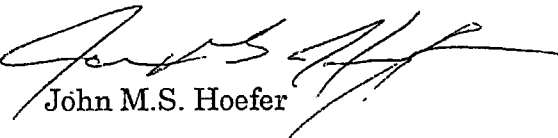
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The Honorable Daniel E. Shearouse
February 6, 2019
Page 2 of 2

Very truly yours,

WILLOUGHBY & HOEFER, P.A.



John M.S. Hoefer

JMSH/eec
enclosures

cc: Alexander G. Shissias, Esquire
Andrew M. Bateman, Esquire
Richard L. Whitt, Esquire
Jenny R. Pittman, Esquire
J. Blanding Holman, IV, Esquire
Scott Elliott, Esquire
Timothy F. Rogers, Esquire
Benjamin L. Snowden, Esquire
Damon E. Xenopoulos, Esquire
The Honorable Jocelyn Boyd, Clerk for the SC Public Service Commission

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THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Appellate Case Nos. 2018-001165 and 2018-002117

Public Service Commission Docket No. 2018-2-E

South Carolina Coastal Conservation League and
Southern Alliance for Clean Energy,Appellants,

v.

South Carolina Public Service Commission, South Carolina
Electric & Gas Company, CMC Steel South Carolina, South
Carolina Energy Users Committee, South Carolina Solar
Business Alliance, LLC, Southern Current, LLC, and South
Carolina Office of Regulatory Staff,Respondents;

and

South Carolina Solar Business Alliance, LLC,Appellants,

v.

South Carolina Coastal Conservation League, Southern Alliance for Clean
Energy, South Carolina Public Service Commission, South Carolina
Electric & Gas Company, CMC Steel South Carolina, South Carolina
Energy Users Committee, Southern Current, LLC, and South Carolina Office
of Regulatory Staff,

Of whom, South Carolina Electric & Gas Company and South Carolina
Office of Regulatory Staff areRespondents.

MOTION TO AMEND CAPTION TO REMOVE THE PUBLIC SERVICE
COMMISSION OF SOUTH CAROLINA AS A PARTY

Respondent South Carolina Electric & Gas Company ("SCE&G"), pursuant to Rule 240, SCACR, hereby moves this Court for an order amending the caption in the above-captioned matters to remove the South Carolina Public Service Commission ("Commission") as a party in these consolidated appeals.¹ In support of this motion, SCE&G would respectfully show the following:

1. This matter arises out of separate notices of appeal filed by the South Carolina Coastal Conservation League and Southern Alliance for Clean Energy ("SCCCL/SACE") and South Carolina Solar Business Alliance, LLC ("SCSBA"). Specifically, SCCCL/SACE and SCSBA seeking review of determinations of the Commission in a contested case proceeding pursuant to S.C. Code Ann. §§ 58-27-865 and 58-39-140 (2015). The underlying proceeding involved a review of the fuel purchasing practices and policies of SCE&G, a determination by the Commission as to whether an adjustment in SCE&G's fuel cost recovery factors is necessary and reasonable, and a determination as to whether an increase or decrease should be granted in the fuel cost component to recover the incremental and avoided costs incurred by SCE&G to implement a Distributed Energy Resource program.

2. In the captions of their Notices of Appeal, both SCCCL/SACE and SCSBA identified the Commission as a party to the appeals.

3. Pursuant to S.C. Code Ann. § 58-27-2310 (2015), however, "[t]he commission must not be a party to any action" arising out of an appeal of a

¹ This Court consolidated these appeals in its Order dated January 31, 2019.

Commission order. Cf. S.C. Code Ann. §58-5-340 (2015) and S.C. Code Ann. §58-9-140 (2015) (providing a similar proscription in appeals from Commission orders in cases involving water, wastewater, gas and telecommunications utilities).

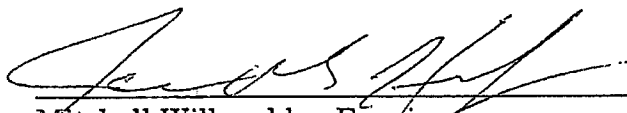
4. Because the Commission is precluded as a matter of law from participating or appearing in these matters as a party of record, SCE&G respectfully submits that the captions in these matters should be amended so as to remove the Commission as a party to these appeals. SCE&G further requests that the Court take such other action as may be necessary in order to reflect that the Commission is not a party of record in these matters.

WHEREFORE, having fully set forth its motion, SCE&G moves the Court to issue an order amending the captions in Appellate Case Nos. 2018-001165 and 2018-002117 so as to remove the South Carolina Public Service Commission as a party in these matters and for such other action as may be necessary in order to reflect that the Commission is not a party of record in these matters. SCE&G further moves the Court to grant such other and further relief as may be just and proper.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

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Columbia, South Carolina
February 6, 2019

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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Appellate Case Nos. 2018-001165 and 2018-002117

Commission Docket No. 2018-2-E

South Carolina Coastal Conservation League and
Southern Alliance for Clean Energy,Appellants,

v.

South Carolina Public Service Commission, South Carolina
Electric & Gas Company, CMC Steel South Carolina, South
Carolina Energy Users Committee, South Carolina Solar
Business Alliance, LLC, Southern Current, LLC, and South
Carolina Office of Regulatory Staff,Respondents.

and

South Carolina Solar Business Alliance, LLC,Appellants,

v.

South Carolina Coastal Conservation League, Southern Alliance for Clean
Energy, South Carolina Public Service Commission, South Carolina
Electric & Gas Company, CMC Steel South Carolina, South Carolina
Energy Users Committee, Southern Current, LLC, and South Carolina Office
of Regulatory Staff,

Of whom, South Carolina Electric & Gas Company and South Carolina
Office of Regulatory Staff areRespondents.

CERTIFICATE OF SERVICE

This is to certify that I, a Legal Assistant with the law firm Willoughby & Hoefer, P.A., have caused to be served this day one (1) copy of Respondent South Carolina Electric & Gas Company's Motion to Amend Caption to Remove the Public Service Commission of South Carolina as a Party by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

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The Honorable Jocelyn Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
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(*Clerk for South Carolina Public Service Commission*)


Emily E. Cartwright

Columbia, South Carolina
This 6th day of February, 2019.